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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

SALVADOR PLASCENCIA, individually;
and KYLE HAIL,

Plaintiffs,

vs.

HARTFORD FIRE INSURANCE
COMPANY, a Connecticut Corporation;
DOES, I through X, inclusive; ROE
BUSINESS ENTITIES, I through X,
inclusive,

Defendants.

Case No.: 2:22-cv-01420-GMN-VCF

**STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES**

(Second Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs SALVADOR PLASCENCIA and KYLE HAIL, through their counsel of record, Dennis M. Prince and Kevin T. Strong of PRINCE LAW GROUP and Defendant HARTFORD FIRE INSURANCE COMPANY, through its counsel of record, Darren T. Brenner and Stephanie Garabedian of WRIGHT, FINLAY & ZAK, LLP, that the discovery deadlines in this matter shall be extended ninety (90) days pursuant to LR 26-3. This is the parties' second request for an extension of the discovery deadlines. The parties set forth the following information in support of their stipulation.



I.

DISCOVERY COMPLETED TO DATE**A. FRCP 26(a) Disclosures and Supplements**

<u>Title</u>	<u>Date Served</u>
Plaintiffs' Initial Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1)	Nov. 30, 2022
Hartford Fire Insurance Company's Initial Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)	Dec. 5, 2022
Plaintiffs' First Supplement to Their Initial Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1)	Jan. 27, 2023
Hartford Fire Insurance Company's First Supplemental Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)	April 17, 2023
Plaintiffs' Second Supplement to Their Initial Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1)	May 12, 2023
Hartford Fire Insurance Company's Second Supplemental Disclosure of Witnesses and Documents Pursuant to FED. R. CIV. P. RULE 26.1(a)(1)	June 28, 2023
Plaintiffs' Third Supplement to Their Initial Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1)	June 29, 2023

B. Written Discovery

<u>Title</u>	<u>Date Served</u>
Plaintiff Salvador Plascencia's First Set of Interrogatories to Defendant Hartford Fire Insurance Company	Feb. 8, 2023
Plaintiff Kyle Hail's First Set of Interrogatories to Defendant Hartford Fire Insurance Company	Feb. 8, 2023
Plaintiffs' First Set of Interrogatories to Defendant Hartford Fire Insurance Company	Feb. 8, 2023
Hartford Fire Insurance Company's First Set of Interrogatories to Plaintiff Salvador Plascencia	Mar. 13, 2023
Hartford Fire Insurance Company's First Set of Requests for Production of Documents to Plaintiff Salvador Plascencia	Mar. 13, 2023
Hartford Fire Insurance Company's First Set of Requests for Admissions to Plaintiff Salvador Plascencia	Mar. 13, 2023
Hartford Fire Insurance Company's First Set of Interrogatories to Plaintiff Kyle Hail	Mar. 13, 2023
Hartford Fire Insurance Company's First Set of Requests for Production of Documents to Plaintiff Kyle Hail	Mar. 13, 2023
Hartford Fire Insurance Company's First Set of Requests for Admissions to Plaintiff Kyle Hail	Mar. 13, 2023
Hartford Fire Insurance Company's Responses to Plaintiff Salvador Plascencia's First Set of Interrogatories	April 17, 2023

1	Hartford Fire Insurance Company's Responses to Plaintiff Kyle Hail's First Set of Interrogatories	April 17, 2023
2	Hartford Fire Insurance Company's Responses to Plaintiffs Salvador Plascencia and Kyle Hail's First Set of Requests for Production of Documents	April 17, 2023
3	Plaintiff Salvador Plascencia's Answers to Defendant Hartford Fire Insurance Company's First Set of Interrogatories	May 10, 2023
4	Plaintiff Salvador Plascencia's Responses to Defendant Hartford Fire Insurance Company's First Set of Requests for Production of Documents	May 10, 2023
5	Plaintiff Salvador Plascencia's Responses to Defendant Hartford Fire Insurance Company's First Set of Requests for Admissions	May 10, 2023
6	Plaintiff Kyle Hail's Answers to Defendant Hartford Fire Insurance Company's First Set of Interrogatories	May 10, 2023
7	Plaintiff Kyle Hail's Responses to Defendant Hartford Fire Insurance Company's First Set of Requests for Production of Documents	May 10, 2023
8	Plaintiff Kyle Hail's Responses to Defendant Hartford Fire Insurance Company's First Set of Requests for Admissions	May 10, 2023

14 **C. Depositions**

15	<u>Deponent</u>	<u>Date</u>
16	Plaintiff Salvador Plascencia	June 30, 2023

17 **II.**

18 **DISCOVERY TO BE COMPLETED**

19 1. Plaintiffs will take the depositions of Defendant's relevant claims
20 handling personnel who were involved in the investigation, evaluation, and handling
21 of their respective underinsured motorist claims.

22 2. Plaintiffs will take the deposition of the FRCP 30(b)(6) witness for
23 Defendant.

24 3. Defendant will take the deposition of Plaintiff Kyle Hail on July 20, 2023.

25 4. The parties will retain and disclose initial expert witnesses and rebuttal
26 expert witnesses.

27 5. The parties will depose their respective expert witnesses.

6. The parties will engage in additional written discovery and notice any additional depositions.

The parties anticipate that they may need to conduct other forms of discovery not specifically delineated herein on an as-needed basis. Therefore, the list outlined above is in no way intended to be a comprehensive list of the outstanding discovery that remains to be completed.

III.

REASONS DISCOVERY WAS NOT COMPLETED WITHIN THE TIME LIMITS AND NEEDS TO BE EXTENDED

The parties respectfully request an extension of the discovery deadlines in this matter for numerous reasons. Plaintiffs' undersigned counsel of record, Dennis M. Prince, conducted two separate trials during the entire month of May. Specifically, from May 1, 2023 through May 16, 2023, Mr. Prince tried the matter of *Parfitt v. Vohra*, Case No. A-20-808010-C in the Eighth Judicial District Court, Clark County, Nevada. From May 22, 2023 through June 1, 2023, Mr. Prince tried the matter of *Santos v. Funk*, Case No. A-20-819657-C in the Eighth Judicial District Court, Clark County, Nevada. Plaintiffs other undersigned counsel of record, Kevin T. Strong, was out of the office and working from home during the months of April and May due to the birth of his son, which occurred on March 22, 2023. Additionally, Mr. Strong has attended various medical appointments for his son throughout the month of June. As a result, Plaintiffs need additional time to take the depositions of Defendant's claims personnel to ensure that their retained insurance bad faith expert possesses the requisite information needed to author a comprehensive report containing his opinions.

Separately, counsel for Plaintiffs and Defendant have attempted to resolve a dispute regarding Defendant's production of relevant portions of its claims manual, training materials, and other applicable policies and procedures. Defendant has experienced certain unforeseen delays in the production of these documents due to the manner in which those documents are retained. Defendant's undersigned counsel has also spent time away from the office due to personal issues, which has also delayed the production of these documents. Defendant expects to produce the documents on or before

July 13, 2023. The parties' requested extension of the discovery deadlines will allow Plaintiffs to review the documents produced and to file any motion practice regarding the scope and substance of Defendant's production in advance of the depositions of Defendants' claims handling personnel.

"[D]istrict courts . . . retain broad discretion to control their dockets" *Shahrokhi v. Harter*, No. 2:21-cv-01126-RFB-NJK, 2021 U.S. Dist. LEXIS 247936, at *4 (D. Nev. Dec. 30, 2021). To prevail on a request to extend discovery deadlines, the parties must establish good cause. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 608-09 (9th Cir. 1992). For the reasons set forth above, the parties respectfully submit that good cause supports their requested stipulation for a ninety (90) day extension of the discovery deadlines. The parties' requested extension of the discovery deadlines is not made in bad faith or to cause any unnecessary delays in the resolution of this matter.

IV.

PROPOSED SCHEDULE FOR COMPLETING DISCOVERY

	<u>Current Date</u>	<u>Proposed Date</u>
Amend Pleadings and Add Parties:	July 3, 2023	Closed
Initial Expert Disclosures:	August 3, 2023	November 3, 2023
Rebuttal Expert Disclosures:	September 5, 2023	December 4, 2023¹
Close of Discovery:	October 2, 2023	January 2, 2024²
Dispositive Motions	November 1, 2023	February 1, 2024
Joint Pretrial Order	December 1, 2023	March 4, 2024³
...		If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.
...		
...		
...		

¹ The actual deadline falls on Sunday, December 3, 2023.

² The actual deadline falls on Sunday, December 31, 2023. Additionally, Monday, January 1, 2024 is a holiday.

³ The actual deadline falls on Saturday, March 2, 2024.

Based on the foregoing, the parties respectfully request this Court grant their Stipulation and Order to Extend Discovery Deadlines (Second Request).

DATED this 7th day of July, 2023.

DATED this 7th day of July, 2023.

PRINCE LAW GROUP

WRIGHT, FINLAY & ZAK, LLP

/s/ Kevin T. Strong

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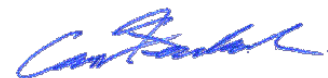
/s/ Darren T. Brenner

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ORDER

IT IS SO ORDERED.

DATED: 7-19-2023



UNITED STATES MAGISTRATE JUDGE